RESOLUTION TO SHUT DOWN ENBRIDGE ENERGY LINE 5 UNDER THE STRAITS OF MACKINAC

WHEREAS, Line 5 is a set of twin, 63-year-old pipelines owned by Enbridge that carry light crude oil and natural gas under the Straits of Mackinac; and

WHEREAS, Enbridge’s original agreement with the state of Michigan called for a maximum flow of 300,000 barrels per day, but has since been raised to 540,000 barrels per day, well above the intended amount when originally built; and

WHEREAS, Corrosion is the number one reason that pipelines fail. Between 1996 and 2013, Enbridge’s entire system of pipelines had 1,244 reportable spills, leaks, and releases; and

WHEREAS, Enbridge’s easement with the State of Michigan states that Enbridge “shall follow the usual, necessary and proper procedures for the type of operation involved, and at all times shall exercise the due care of a reasonably prudent person for the safety and welfare of all persons and all public and private property”; and

WHEREAS, Because of insufficient anchoring, the advanced age of the pipeline, the lack of midstream shutoff valves, and insufficient emergency response plans, Enbridge is not operating the pipeline in accordance with the due care of a reasonably prudent person for the safety and welfare of all public and private property; and

WHEREAS, Enbridge was found in 2014 to be in violation of its 1953 easement with the state of Michigan for their anchor spacing requirements and were responsible for a pinhole leak in a section of the pipeline north of the Straits in December 2014; and

WHEREAS, Enbridge was responsible for one of the worst and most expensive oils spills in U.S. history when Line 6b ruptured near Kalamazoo in 2010 allowing almost 1 million gallons of tar sands oil to leak for 17 hours before shutting down the line; and

WHEREAS, Line 5 was built before the Great Lakes Submerged Lands Act was adopted so it didn’t have to obtain a permit and ensure that the pipeline wouldn’t pose a threat to the waters or the public’s use of the waters; and

WHEREAS, the currents in the Straits of Mackinac at peak volumetric transport can be more than 10 times greater than the flow of Niagara Falls and switch bi-directionally from east to west every few days, and according to a 2014 University of Michigan study are the “worst possible place” for an oil spill in the Great Lakes; and

WHEREAS, the Great Lakes contain 20 percent of the world’s fresh, available, surface water and are a drinking water source for over 35 million people; and

WHEREAS, one out of every five jobs in Michigan is linked to the high quality and quantity of fresh water in the Great Lakes; and

WHEREAS, tourism is one of Michigan’s largest income industries bringing in billions of travelers dollars spent each year; and

WHEREAS, agriculture, fisheries, shipping and industry depend on the health of the Great Lakes; and

WHEREAS, in 2009 the Great Lakes were linked to over 1.5 million jobs, with Michigan accounting for 35 percent of those jobs; and

WHEREAS, Michigan’s Attorney General Bill Schuette has stated (in regards to Line 5) that the “pipeline wouldn’t be built today” and that “the pipeline’s days are numbered”; and
WHEREAS, The United States Coast Guard testified before Congress in 2015 that the Coast Guard would be unable to respond effectively to an open water oil spill in the Great Lakes and that no plan exists for how to recover oil from a leak during the winter when the lake is covered in ice; and

WHEREAS, Protection of Michigan's water supplies and resources is better accomplished by prevention of contamination and environmental degradation, rather than attempting to clean up contamination and restore degraded environments after the fact; and

WHEREAS, As Michiganders we have a responsibility to be wise stewards of the waters of our state for generations to come; and

WHEREAS, The Line 5 pipeline is a threat to our public waters and the Governor and Attorney General have an obligation to take action to ensure that the pipeline does not rupture and create an environmental and economic disaster.

NOW, THEREFORE, BE IT RESOLVED, that on June 14, 2016 Empire Township supports stopping the transportation of oil under the Great Lakes and urges the Governor and Attorney General to exercise their authority to terminate Enbridge's 1953 easement and shut down Enbridge Energy Line 5 under the Straits of Mackinac; and

BE IT FURTHER RESOLVED, that Empire Township supports C.R. 15 introduced by State Representatives Sarah Roberts and Jeff Irwin calling on Governor Rick Snyder and Attorney Bill Schuette to shut down Line 5, and

BE IT FURTHER RESOLVED, Empire Township will forward this resolution to Governor Rick Snyder, Attorney General Bill Schuette, State Representative Ray Franz, State Senator Darwin Booher's, calling on them to take swift action to shut down Enbridge Energy Line 5 under the Straits of Mackinac.

RESOLVED this 14th day of June, 2016.

Voting for: Deering, Neiswonger, Noonan, Price, and Deegan. Voting against: None.

The resolution is declared adopted.

Carl F. Noonan
Empire Township Supervisor

CERTIFICATION

I hereby certify that the foregoing is a true copy of Resolution No. 01-2016, which was adopted by the Empire Township Board, Leelanau County, Michigan, at a regular meeting held on June 14, 2016.

Christine M. Neiswonger
Empire Township Clerk